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| APPLICATION NO.          | FILING DATE            | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.  | CONFIRMATION NO. |
|--------------------------|------------------------|----------------------|----------------------|------------------|
| 10/849,664               | 05/19/2004             | Aladar Szalay        | 17248-004002 (4804B) | 7765             |
| 7                        | 7590 07/07/2006        |                      | EXAMINER             |                  |
| Stephanie Seidman        |                        |                      | KELLY, ROBERT M      |                  |
| FISH & RICHA             | FISH & RICHARDSON P.C. |                      | r                    |                  |
| 12390 El Camino Real     |                        |                      | ART UNIT             | PAPER NUMBER     |
| San Diego, CA 92130-2081 |                        |                      | 1633                 |                  |
| San Diego, CA            | 72130-2001             |                      | 1033                 |                  |

DATE MAILED: 07/07/2006

Please find below and/or attached an Office communication concerning this application or proceeding.



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| APPLICATION NO./<br>CONTROL NO. | FILING DATE | FIRST NAMED INVENTOR / PATENT IN REEXAMINATION |                     | ATTORNEY DOCKET NO. |  |
|---------------------------------|-------------|--|---------------------|---------------------|--|
| 10/849,664                      | 5/19/04     | Szalay   | 17248-604002 (4804E |                     |  |
|                                 |             | •  |                     |                     |  |
|                                 |             |  | Kel                 | Kelly, Robert M.    |  |
|                                 |             |  | ART UNIT            | PAPER               |  |
|                                 |             |  | 1633                | 20060620            |  |

DATE MAILED:

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## **Commissioner for Patents**

Mr Turner contacted the Examiner and indicated that page 5 of the IDS of 2/17/05 was not signed and initialed by the Examiner, and that he would like to know if the references were considered and also obtain a copy of such IDS page, which is signed and initialled to indicate such consideration.

The Examiner indicated that such IDS was considered and the lack of signature/initials was an oversight, and therefore, with this communication such page is provided, with the Examiner's signature and initials.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Robert M. Kelly, Art Unit 1633, whose telephone number is (571) 272-0729. The examiner can normally be reached on M-F, 9:00am-5:00pm. If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Dave Nguyen can be reached on (571) 272-0731. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300. Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see http://pair-direct.uspto.gov. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Robert M. Kelly, Ph.D. Examiner, USPTO, AU 1633 2C55 Remsen Building (571) 272-0729

Attached: page 149 of IDS of 2/17/05

Joe Warters